

### **REMARKS**

Claims 1, 2 and 4-13 are currently pending in the present application. Claim 13 has been amended herein, support for which may found in the present specification, at least, at page 4, lines 13-16. No new matter has been added by way of the present claim amendment.

#### ***Obviousness-type Double Patenting***

Claims 1, 2 and 4-12 stand rejected under the doctrine of obviousness-type double patenting over claims 1-8 and 12-17 of U.S. Patent No. 6,656,633 to Yamakawa et al (hereinafter "Yamakawa").

Claims 1, 2 and 4-11 stand provisionally rejected under the doctrine of obviousness-type double patenting over claims 1-4 and 6-10 of co-pending Application No. 10/567,119 (hereinafter "the '119 application").

In response to the outstanding double-patenting rejections, Applicants submit herewith Terminal Disclaimers disclaiming the terminal parts of the terms of U.S. Patent No. 6,656,633 and co-pending Application No. 10/567,119. Applicants have also submitted the associated fee for filing the Terminal Disclaimers. It is noted that the filing of a terminal disclaimer to obviate a rejection based on nonstatutory double patenting is not an admission of the propriety of the rejection. *Quad Environmental Technologies Corp. v. Union Sanitary District*, 946 F.2d 870, 20 USPQ2d 1392 (Fed. Cir. 1991).

Accordingly, Applicants respectfully request withdrawal of the outstanding double-patenting rejections.

***Rejection under 35 U.S.C. §112, first paragraph***

Claim 13 stands rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement.

Claim 13 has been amended herein to fully comply with the written description requirement. Specifically, claim 13 has been amended to comply with the present specification, at least, at page 4, lines 13-16. Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection.

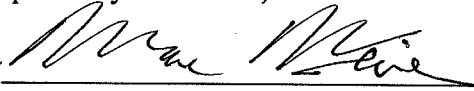
In view of the foregoing, Applicants believe the pending application is in condition for allowance. A Notice of Allowance is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Monique T. Cole, Reg. No. 60,154 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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